

**SEAN BROWN**

1 person, Michael Galloway, we've got Lieutenant Wasson  
2 from the department, and we've got -- you know, we've  
3 got enough to keep full through the day.

4 THE COURT: I know, but I'm -- I'm trying to  
5 get a preview for tomorrow too.

6 MR. SEATON: Tomorrow we have -- if I were  
7 guessing, I'd say we'll be through by 1:00 or 2:00.

8 THE COURT: Okay.

9 MR. SEATON: That's -- you know, I didn't  
10 expect this afternoon to go this long, but I'm trying to  
11 gauge as best I can.

12 THE COURT: All right. Okay, Ms. Laster, bring  
13 our jury in.

14 THE COURTROOM DEPUTY: Yes, sir.

15 (The proceedings were held in the presence of  
16 the jury, as follows:)

17 THE COURT: Please be seated.

18 All right. Mr. Knight, any cross-examination?

19 MR. KNIGHT: Yes, Your Honor.

20 THE COURT: All right. Thank you.

21 CROSS-EXAMINATION

22 BY MR. KNIGHT:

23 Q. Mr. Brown, you were a corporal at the time you  
24 were let go at Campbell County?

25 A. That is correct.

1 Q. And so you were a corrections officer before  
2 that; correct?

3 A. That is correct.

4 Q. And I think you said you applied for that  
5 position?

6 A. For the corporal?

7 Q. Yes.

8 A. Yes.

9 Q. Okay. How long were you a correction officer?

10 A. Maybe a year, if I remember.

11 Q. A year?

12 A. Roughly.

13 Q. So you're not telling this jury that you don't  
14 know how to make log checks or checks on inmates or  
15 anything like that, do you -- are you?

16 A. That's not what I -- I'm saying, no.

17 Q. No. I mean, a log is basically you initial  
18 what time you check on somebody or check them in and you  
19 write the time down, is it not?

20 A. Correct.

21 Q. It's not rocket science, is it?

22 A. No.

23 Q. You indicated that you were a graduate of high  
24 school; correct?

25 A. That is correct.

1 Q. And you had -- the department sent you for a  
2 psychological evaluation; correct?

3 A. That is correct.

4 Q. And you had a physical; correct?

5 A. Yes, that is correct.

6 Q. Let's go back to June 2nd, 2019. It was in the  
7 middle of the night; correct?

8 A. Yes.

9 Q. And you were in the sally port, I believe, with  
10 Alex Standridge; is that correct?

11 A. Yes.

12 Q. And Justin Crabtree radioed that there was a  
13 combative inmate coming into the jail; correct?

14 A. No, dispatch called me.

15 Q. Dispatch called you. But --

16 A. Yes.

17 Q. -- you knew it was a combative inmate?

18 A. Yes.

19 Q. And when Justin Crabtree pulled in, could you  
20 hear anything Mr. Ling was saying?

21 A. As I stated earlier, Ling didn't speak. He was  
22 pretty much nonverbal the entire altercation the entire  
23 time I saw him.

24 Q. You saw Justin Crabtree drag him out of the  
25 car; correct?

- 1 A. Yes.
- 2 Q. And you couldn't have intervened if you wanted  
3 to, could you?
- 4 A. No.
- 5 Q. And did you see Mr. Ling do anything or -- or  
6 resist or cause any commotion in -- when he was pulling  
7 him from the sally port?
- 8 A. What specific time are you -- like, when he was  
9 pulling from the car? Is that what you're referring to?
- 10 Q. No. When -- when he came in, could you hear  
11 Mr. Ling in the back seat?
- 12 A. No.
- 13 Q. You couldn't?
- 14 A. No.
- 15 Q. So he was just sitting there doing nothing?
- 16 A. They said that he was kicking the windows.  
17 Justin did. But outside of that, I couldn't hear  
18 anything. He was whipping it in, and by the time he  
19 whipped it in, he got out, everything was done. He  
20 pulled him out.
- 21 Q. Justin pulled him out; correct?
- 22 A. Yes.
- 23 Q. Justin put him in the search trap; correct?
- 24 A. Yes.
- 25 Q. You testified that you did not see him place

1 him on the counter; is that correct?

2 A. If I did see him, my memory has blocked it out  
3 and I don't remember it.

4 Q. Okay. You couldn't -- I mean, he had control  
5 of Mr. Ling; correct?

6 A. Correct.

7 Q. And no matter -- or you couldn't have  
8 intervened at that point at all, could you?

9 A. Not at that point.

10 Q. And when you all -- I mean, I'm not going to  
11 play the video, but I assume that when all of you all  
12 had -- were holding Mr. Ling on the ground, there was  
13 movement going on from Mr. Ling?

14 A. That is correct.

15 Q. Regardless of his intent, you have to go on  
16 what the movement is; correct?

17 A. Correct.

18 Q. I mean, he didn't stand up and say, hey, I'm  
19 just trying to survive, did he?

20 A. No.

21 Q. So you could have interpreted that in the  
22 moment as combative resistance; is that correct?

23 A. That is how I interpreted it in the moment.

24 Q. Okay. And his -- his feet needed to be held  
25 down and his torso needed to be held down, and he needed

1 to stop; is that correct?

2 A. That is correct.

3 Q. Have you had any combative inmates come in  
4 before?

5 A. Just in general or --

6 Q. In general, when you're a corrections officer.

7 A. In -- in -- yes, in general, I have.

8 Q. And you've had to utilize force on occasion, I  
9 assume?

10 A. That would be correct.

11 Q. And -- and the goal is -- is to get the inmate  
12 under control or in this case, a pretrial detainee under  
13 control; correct?

14 A. Correct.

15 Q. Because they're not always under control, are  
16 they?

17 A. That is correct.

18 Q. And you indicated before under your testimony  
19 from Mr. Seaton -- I mean, questioning from Mr. Seaton,  
20 that there was high turnover in corrections; correct?

21 A. Yes, that is correct.

22 Q. It's not a great job, is it?

23 A. It's a horrible job.

24 Q. I mean, you have to deal with some pretty  
25 difficult people, don't you?

1 A. Yes.

2 Q. They cuss at you?

3 A. Yes.

4 Q. They spit at you?

5 A. Yes.

6 Q. They try to assault you?

7 A. Yes.

8 Q. They try to sneak in contraband?

9 A. Yes.

10 Q. And you're there to prevent that, are you not?

11 A. That is correct.

12 Q. So as we sit here today, could there be a

13 reason for the high turnover rate?

14 A. I think that plays a pretty big part of it --

15 Q. I mean --

16 A. -- as well.

17 Q. -- you don't get paid very much, do you?

18 A. No.

19 Q. And you have to deal with these sorts of people

20 every day, don't you?

21 A. Correct.

22 Q. And when Mr. Ling came in, you would agree with

23 me that he was displaying a lot of energy, was he not?

24 A. At what point?

25 Q. At any point.



1 A. I -- I don't necessarily agree with that. I  
2 think that there was some altitude of energy where he  
3 was more heightened, and I think that was when he was on  
4 the floor with his movement. There were, like the  
5 videos's shown, five of us on him.

6 Q. Uh-huh.

7 A. And like you said, we could not control him.  
8 And in the moment, I felt that he was resisting. So in  
9 that point, I think that there was a lot of energy.

10 Q. And -- and you've dealt with inmates who  
11 display a lot of energy before, haven't you?

12 A. That is correct.

13 Q. And sometimes those inmates are on something,  
14 are they not?

15 MR. SMITH: Objection, Your Honor.

16 THE WITNESS: That's correct.

17 MR. SMITH: That's irrelevant to this case --

18 THE COURT: Overruled.

19 MR. SMITH: -- what other --

20 THE COURT: Overruled.

21 BY MR. KNIGHT:

22 Q. It came up in Mr. Seaton's questioning that --  
23 I think he even impeached you with your deposition about  
24 you had no reason to believe that he was under illicit  
25 drugs. But you had not been asked to do a test;

1 correct?

2 A. That is correct.

3 Q. There was no time to do a test, was there?

4 A. No.

5 Q. You just knew that you couldn't control him;

6 correct?

7 A. That's correct.

8 Q. And neither could four or five other people;

9 correct?

10 A. Correct.

11 Q. And you were just trying to get him into the

12 facility, were you not?

13 A. Yes.

14 Q. You indicated that you were TCI certified. Is

15 that not correct?

16 A. That is correct.

17 Q. And you were a corrections officer for over a

18 year and then a corporal for one and a half or two

19 months. You knew how basically a jail is supposed to

20 work or inmate to inmate; correct?

21 A. Correct.

22 Q. I mean, when you book them in, you check them,

23 you take them to court, you feed them, you dispense

24 medicine. You knew how to do that, didn't you?

25 A. Correct.

1 Q. And if somebody was attacking you, you knew how  
2 to defend yourself, didn't you?

3 A. Not by any training or anything like that.  
4 They tried to give us defensive tactics-type --

5 Q. Yeah.

6 A. -- deal during orientation. And it was hey,  
7 you grab their wrist and you twist, and if that doesn't  
8 work, then you need to run out and go get backup --

9 Q. Okay.

10 A. -- and that -- that was the general --

11 Q. But you have to -- I'm sorry. Go ahead.

12 A. That -- that was just the general  
13 generalization of that training. They kept talking  
14 about well, we're going to get a defensive class. We're  
15 going to get a defensive class. But there -- in the  
16 time that I was there, I never saw that class.

17 Q. And over -- in over a year, did you ever have  
18 to defend yourself from an inmate?

19 A. Yes.

20 Q. Were you able to do that?

21 A. Yes.

22 Q. Apparently the job was okay with you 'cause you  
23 applied to be a supervisor; correct?

24 A. Are you saying the job was okay as far as  
25 corrections as a whole or the corporal's position?

1 Q. Well, you applied to be a corporal in the  
2 corrections department.

3 A. Yes.

4 Q. Correct?

5 A. Yes.

6 Q. I assume that meant more responsibility?

7 A. Correct.

8 Q. And more money?

9 A. Correct.

10 Q. And you knew that; correct?

11 A. Correct.

12 Q. And, you know, a lot has been said that younger  
13 individuals got the night shift. That's generally how  
14 it works everywhere, isn't it? If you have more  
15 seniority, you get the better choice of shift?

16 A. I would assume, yes.

17 Q. You would assume, or do you know?

18 A. I don't know.

19 Q. You don't know if you have a 10-year veteran  
20 and -- and they would rather work the day shift versus a  
21 one-month veteran or a six-month veteran -- are you  
22 going to sit here and tell this jury that 10-month  
23 veteran is -- his seniority is not going to count in  
24 terms of his choice of shift?

25 MR. SEATON: Objection. Argumentative.

1 THE COURT: Sustained. Sustained.

2 If you've got a question, ask him. He can  
3 answer.

4 BY MR. KNIGHT:

5 Q. So in the moment, again, when you were --  
6 Mr. Ling was taken to be decontaminated, you ordered  
7 that; correct?

8 A. That is correct.

9 Q. And you ordered Mr. Standridge and Mr. Miller  
10 to do that; correct?

11 A. That is correct.

12 Q. Or Officer Standridge and Officer Miller;  
13 correct?

14 A. That is correct.

15 Q. And you said under questioning by Mr. Seaton  
16 that you could hear whooping and hollering, did you not?

17 A. That is correct.

18 Q. And that was coming from Mr. Ling, was it not?

19 A. No, that was coming from the officers.

20 Q. 'Cause they were not able to handle Mr. Ling,  
21 were they?

22 A. From my understanding, no, they were not.  
23 That's why Mr. -- or Deputy Williams had to step in.

24 Q. And if you cannot handle or control a detainee,  
25 is that an indication to you that the detainee or

1 arrestee may not want to be controlled?

2 A. Yes.

3 Q. You said a lot about the nurse that -- well,  
4 the agency that the county -- the county contracted with  
5 an agency; correct?

6 A. Yes.

7 Q. And there are various nurses assigned to the  
8 agency; correct?

9 A. Various what?

10 Q. Nurses that may --

11 A. Yes.

12 Q. -- or may not -- and during day shift, they  
13 would be onsite and they were supposed to provide 24/7  
14 coverage; is that correct?

15 A. During their shift, yes.

16 Q. And you knew that, did you not?

17 A. Yes.

18 Q. And you knew that you could call 9-1-1 --

19 A. Yes.

20 Q. -- didn't you?

21 And you -- did you come to have any  
22 understanding that night that they had -- that the  
23 officers had called an ambulance out to the scene to  
24 evaluate Mr. Ling?

25 A. That's what Justin had told me, yes.

1 Q. Okay. And that didn't work out too well, did  
2 it?

3 A. Not after he made it to the jail.

4 Q. And you could have called the ambulance back,  
5 couldn't you have?

6 A. I could have.

7 Q. But that didn't happen, did it?

8 A. No.

9 Q. This happened in the middle of the night;  
10 correct?

11 A. Yes.

12 Q. You were working 11:00 to 7:00? That was your  
13 shift?

14 A. Yes.

15 Q. At no time during that night did you make a  
16 phone call to either a medical provider, 9-1-1, or an  
17 ambulance; correct?

18 A. Correct.

19 Q. Nor did you take Mr. Ling in a vehicle, I  
20 guess, or a vehicle available to take Mr. Ling somewhere  
21 if he needed to go?

22 A. Correct.

23 Q. It's my understanding from your testimony that  
24 despite the -- the presence of blood, you did not  
25 consider -- or no one considered that Mr. Ling had a

1 serious medical injury?

2 A. That is correct.

3 Q. Thought he had a busted nose?

4 A. Correct.

5 Q. And that was courtesy of Mr. Crabtree's

6 punching --

7 A. Yes.

8 Q. -- him?

9 And did the fact that Mr. Ling was bleeding

10 from his -- was he bleeding from his nose?

11 A. It appeared to just be his nose. That's why I

12 didn't have such a high --

13 Q. Okay.

14 A. -- concern about it.

15 Q. Okay. And -- and despite the blood or the

16 blood coming from his nose or around his nose or

17 whatever, while he was on the floor, he was still

18 moving; correct?

19 A. Yes.

20 Q. So did -- was that an indication to you that he

21 perhaps had not sustained a serious injury?

22 A. Yes.

23 Q. You don't have any medical training, do you?

24 A. No.

25 Q. I mean, you have not been to medical school;



1 correct?

2 A. Correct.

3 Q. Nursing school?

4 A. No.

5 Q. Do you -- I think you testified that -- to  
6 Mr. Seaton you had first aid; is that --

7 A. Yeah. I mean, how to put a Band-Aid on  
8 somebody.

9 Q. I assume that if Mr. Ling had showed up with a  
10 broken arm or a broken leg, you would have been able to  
11 identify that?

12 A. Correct.

13 Q. It's a little bit more difficult when we're  
14 talking about a brain bleed or -- would you agree with  
15 me about that?

16 A. Yes.

17 Q. It's a little bit more difficult to identify a  
18 busted nose from a brain bleed?

19 A. Yes.

20 Q. I'm going to ask you based on a couple of  
21 questions that Mr. Seaton asked you, there was a  
22 concern, was there not, as to what the day shift would  
23 say when they saw Mr. Ling; correct?

24 A. Correct.

25 Q. And you talked about that; correct?

- 1 A. I did.
- 2 Q. And it's my understanding that after Mr. Ling  
3 was put in the negative pressure cell, he was not  
4 checked every hour as required by Tennessee law;  
5 correct?
- 6 A. Correct.
- 7 Q. And you knew, did you not, Mr. Brown, that  
8 that's what Tennessee law required?
- 9 A. From my understanding, it was a -- a TCI  
10 standard, not a law. I did not know until today that  
11 that was a law.
- 12 Q. TCI standard or law, you knew he was supposed  
13 to be checked every -- every hour; correct?
- 14 A. Correct.
- 15 Q. And he wasn't, was he?
- 16 A. Correct.
- 17 Q. He was just left there. Was that the concern  
18 that everyone had about day shift?
- 19 A. No.
- 20 Q. That he not been checked and he had been in a  
21 drunk tank?
- 22 A. No.
- 23 Q. That was not the concern?
- 24 A. No.
- 25 Q. You weren't worried about that at all?

1 A. No.

2 Q. Okay. Isn't it true, Mr. Brown, that you were  
3 never going to call for any medical assistance that  
4 night for Mr. --

5 A. I was not going to call. I was waiting for  
6 medical to show up that morning.

7 Q. That morning you were waiting for her to show  
8 up; correct?

9 A. Correct.

10 Q. And she showed up one hour before her shift was  
11 supposed to start; correct?

12 A. Correct.

13 Q. And you gave her the information that you told  
14 Mr. Seaton about; correct?

15 A. Correct.

16 Q. So as far as she knew, she had a combative  
17 inmate in the drunk tank who had assaulted Justin  
18 Crabtree; correct?

19 A. Correct.

20 Q. You knew all of this was on videotape; correct?

21 A. Correct.

22 Q. That just about -- well, the shower part of the  
23 facility is not -- does not have a camera for privacy  
24 concerns --

25 A. Correct.

1 Q. -- I assume. But the -- the search trap, the  
2 sally port, that area, the booking area, they all have  
3 cameras; correct?

4 A. Correct.

5 Q. And that was all provided to the TBI when they  
6 were doing their investigation; correct?

7 A. Correct.

8 Q. And you gave a statement to the TBI, did you  
9 not?

10 A. Yes, I did.

11 Q. And at some point, you were charged with some  
12 offenses by the Eighth Judicial District; is that  
13 correct?

14 A. I'm not sure if that's where it was charged.  
15 It was --

16 Q. The district attorney?

17 A. Yes.

18 Q. And you ended up pleading guilty to what?

19 A. Official oppression.

20 Q. Anything else?

21 A. No.

22 Q. Okay. And you received judicial diversion,  
23 which would allow your record to be clean as long as you  
24 stay out of trouble; correct?

25 A. Correct.

1 Q. As long as you are cooperative; correct?

2 A. That is correct.

3 Q. As far as -- Mr. Seaton's last question was  
4 about this happening again. It never happened before,  
5 had it?

6 A. I'm unaware.

7 Q. You're unaware.

8 It hasn't happened since then, has it?

9 A. I'm also unaware.

10 Q. You're not -- so unaware. You haven't heard of  
11 anything happening like this?

12 A. No.

13 Q. Even though Mikey Owens, who is -- has been --  
14 been made a big deal is now the jail administrator, it  
15 has not happened since that you've heard of; correct?

16 A. That is correct.

17 Q. As far as you know, that jail is TCI certified;  
18 correct?

19 A. As far as I'm aware.

20 Q. It was TCI certified when you were there,  
21 wasn't it?

22 A. Yes.

23 Q. And TCI performs surprise inspections and  
24 points out every little deficiency that they can find.  
25 Is that not correct?

1 A. That is correct.

2 Q. And then they give you a plan of action or a  
3 plan of correction, and they tell you to come -- they're  
4 coming back and you better have it fixed; isn't that  
5 correct?

6 A. That is correct.

7 Q. And that's to remain certified; correct?

8 A. Yes, that is correct.

9 Q. And as far as the Campbell County Jail is  
10 concerned, it has been certified; correct?

11 A. That is correct.

12 Q. And you don't know anything any different, do  
13 you?

14 A. No.

15 Q. I'm going to ask you something really quickly.  
16 Mr. -- Mr. Brown, you saw that videotape when Justin  
17 Crabtree hit Mr. Ling fairly -- would you describe that  
18 as a fairly quick series --

19 A. Yes.

20 Q. -- of punches?

21 A. Yes.

22 Q. Is it fair to say that you could not have  
23 intervened in that period of time and stopped any of  
24 those punches?

25 A. I didn't even realize he had hit him until

1 after he'd hit him.

2 Q. Okay. You have to observe something and you  
3 have to know the context to intervene. Would you agree  
4 with that?

5 A. I would, yes.

6 Q. I mean, there may be very good reasons why  
7 certain officers are doing certain things to arrestees  
8 or detainees; is that correct?

9 A. That is correct.

10 Q. I mean, you wouldn't want to be evaluated in  
11 isolation when you had a really good reason for -- I  
12 don't know -- deploying some sort of defensive tactic  
13 and then somebody intervenes and causes a situation that  
14 would not have occurred, would you?

15 A. I don't understand your question.

16 Q. You wouldn't want somebody intervening in  
17 something that you were doing lawfully if you had a good  
18 reason for doing it?

19 A. That is correct.

20 MR. KNIGHT: May I have a second, Your Honor?

21 THE COURT: Yes.

22 BY MR. KNIGHT:

23 Q. You were asked by Mr. Seaton a lot of questions  
24 about hindsight. Do you recall that?

25 A. Yes.

1 Q. There's a lot of things that we would rather do  
2 in hindsight; is that correct?

3 A. Yes.

4 Q. There may be questions that I wanted to ask  
5 that I forgot to ask but, in hindsight, I should have  
6 asked. Do you understand that?

7 A. Yes.

8 Q. You understand the concept of Monday morning  
9 quarterbacking?

10 A. Yes.

11 Q. Thank you.

12 THE COURT: Any redirect?

13 MR. SEATON: Yes, Your Honor.

14 REDIRECT EXAMINATION

15 BY MR. SEATON:

16 Q. Mr. Brown, are you telling the ladies and  
17 gentlemen of the jury that all the force used against  
18 Nathan Ling was justified?

19 A. I don't think so.

20 Q. Well, that's kind of what it sounded in his  
21 cross-examination. Can you see why I would think that?

22 A. I suppose. I -- I -- I'm not so certain.

23 Q. Okay. You pled guilty?

24 A. Yes.

25 Q. Why did you plead guilty -- or what did you



1 plead guilty to?

2 A. Official oppression.

3 Q. And why did you plead guilty to that?

4 A. For judicial diversion.

5 Q. Well, I understand that that was for -- for the  
6 deal. But, I mean, did you plead guilty because you  
7 were, in fact, guilty?

8 A. Yes.

9 Q. All right. And what were you guilty of?

10 A. I should have, in fact, called 9-1-1 or EMS and  
11 provided him with medical care at some degree.

12 Q. Okay.

13 A. So -- and because of that, I do believe that I  
14 had subjected him to, you know, beating and whatnot.

15 Q. So you felt like you did wrong in not calling  
16 for medical care; right?

17 A. Correct.

18 Q. And did you feel like you had done wrong for  
19 not intervening and stopping all of the abuse?

20 A. Well, like Mr. Knight said, you know, you can  
21 Monday night quarterback it. I wish that I could have.  
22 But he did make good points. You have to be able to  
23 understand the context. And so looking at the context  
24 now versus then, it's two totally different things.

25 I -- I'm 25 now, and I've seen things and I've

1 been able to be in the court system and hear it from  
2 many other aspects and angles; right? Whereas, I was 19  
3 or 20 and I didn't understand that yet; right? I was  
4 just going with the flow, so to speak. I wasn't really  
5 expecting somebody who had multiple hours upon hours of  
6 training in comparison to me to do something that wasn't  
7 lawful, and so that was my mistake for assuming.

8 Q. So am I understanding what you're telling us is  
9 that at 19 or 20 years old, you didn't feel like you  
10 were mature enough to handle these situations?

11 A. Looking back now, that is exactly what I'm  
12 saying.

13 Q. All right.

14 A. But at the time, I think everybody, you know,  
15 thinks they're extremely mature, unless they are very  
16 self-aware, which I was not at that age.

17 Q. I don't think any of us were at that age. I  
18 appreciate that.

19 And do you also feel that in addition to being  
20 immature to be -- to be in that kind of a position, that  
21 you weren't trained, you just didn't know what to do?

22 A. Yeah. I mean, I -- I really -- I had no idea  
23 what I was doing.

24 Q. Okay.

25 A. I don't know exactly any 19- or 20 -year-old

1 who knows what they're doing with themselves, let alone  
2 multiple other adults, and so --

3 Q. Well, given all that authority of the  
4 government --

5 A. Correct.

6 Q. -- to detain people and to put them in jail  
7 cells and things like that?

8 A. Correct.

9 Q. I heard when you were answering questions from  
10 Mr. Knight that -- I was hearing that Nathan Ling was  
11 resistive most of the time that he was there; is that  
12 right? Or was he not resistive?

13 A. Looking back, I don't believe. But in the  
14 moment, the way that I had perceived it, yes, it was  
15 resisting.

16 Q. Okay. Fair enough.

17 A. And we were trying to stop it and contain it,  
18 and it was not --

19 Q. So --

20 A. -- we could not.

21 Q. -- would I be stretching if -- if I said --  
22 does it appear that there was kind of a gang mentality?  
23 Justin Crabtree jerking him out, people beating on him,  
24 and everybody else getting involved in it?

25 A. I don't know.

1 MR. KNIGHT: Objection as to mischaracterizing  
2 the testimony.

3 MR. SEATON: I'm just asking him --

4 THE COURT: I'm going to allow it, but I  
5 would -- don't go too far --

6 MR. SEATON: Certainly.

7 THE COURT: -- on this.

8 MR. SEATON: Certainly.

9 THE WITNESS: Could you ask that question  
10 again?

11 BY MR. SEATON:

12 Q. Well, I mean, does it appear that there was  
13 this gang mentality? You know, you see Justin Crabtree.  
14 You know, they got to see the video --

15 A. Correct.

16 Q. -- and they get to make their own  
17 determinations about what they saw on the video; right?

18 A. Correct.

19 Q. So, I mean -- and -- and all of you officers  
20 have tried to help us to understand what we saw. But we  
21 can still see -- we can't hear what's going on, but --

22 A. Correct.

23 Q. -- we can still see what's going on; right?

24 And it -- it -- does it appear to you that  
25 there's this gang mentality where Justin Crabtree is

1 grabbing him, jerking him out of the car?

2 You said that you didn't see him slamming his  
3 face up against the wall; right?

4 A. Correct.

5 Q. But then you get him into the trap room, and  
6 you got five people on him like he's a fish out of  
7 water; right?

8 A. Correct.

9 Q. And there's people beating on him right in --

10 THE COURT: Mr. Seaton, is there a question in  
11 there?

12 MR. SEATON: Yeah, I'm getting there.

13 THE COURT: Well, no. I mean -- no, you're  
14 going to ask questions --

15 MR. SEATON: Okay.

16 THE COURT: -- not make statements.

17 MR. SEATON: All right.

18 THE COURT: If you've got a question --

19 BY MR. SEATON:

20 Q. So as --

21 THE COURT: Mr. Seaton, look at me.

22 MR. SEATON: Yes, sir.

23 THE COURT: I'm speaking to you.

24 MR. SEATON: Yes, sir.

25 THE COURT: Okay? If you've got a question,

1 ask a question. Okay? Don't go on. All right?

2 BY MR. SEATON:

3 Q. So as the people are beating on him, does it  
4 appear that there's a gang mentality going on?

5 A. I don't think that we were necessarily trying  
6 to beat on him. I just -- I -- looking back, I don't  
7 think we knew what we were doing.

8 Q. All right. That's fair enough.

9 Let's pull up Exhibit 40- -- 48.

10 And I just want to show you one little portion  
11 of this clip.

12 MR. SEATON: Go ahead, Joseph.

13 (The video was played in open court, and the  
14 proceedings continued as follows:)

15 BY MR. SEATON:

16 Q. So this -- this -- hang on one second.

17 So this is -- this is where you're moving  
18 Nathan Ling from the search or trap room into the shower  
19 area?

20 A. I believe so, yes.

21 Q. All right. So let's just watch a couple  
22 seconds of that.

23 (The video was played in open court, and the  
24 proceedings continued as follows:)

25 BY MR. SEATON:

1 Q. And does it appear that he's very unsteady on  
2 his feet?

3 A. At that point, it looks like he was worn out,  
4 yes.

5 Q. And does it appear that it took two officers to  
6 hold him up to walk him out of there?

7 A. I don't know if they needed two officers, but  
8 two officers did, in fact, carry him over there.

9 Q. Well, you saw him almost fall, didn't you?

10 A. And then he caught himself, yes.

11 Q. Okay. And there's a lot of blood in there;  
12 right?

13 A. Yes.

14 Q. And I think I told you in deposition what all  
15 the injuries were, didn't I?

16 A. You did.

17 Q. Right.

18 He had a shattered eye socket. Remember that?

19 A. Correct.

20 Q. And remember he had a shattered nose?

21 A. Correct.

22 Q. Shattered jaw?

23 A. Correct.

24 Q. Broken shoulder?

25 A. Correct.

1 Q. Lung issues?

2 A. Correct.

3 Q. And the traumatic brain injury?

4 A. Correct.

5 Q. And so are you telling the ladies and gentlemen  
6 of the jury that with those types of serious injuries,  
7 you didn't recognize that he needed medical care?

8 A. I'm telling everybody that with my level of  
9 knowledge at that age, I had no idea how to identify or  
10 assess anybody. I saw that he had got punched in the  
11 nose, and that's where the blood was coming from, so I  
12 naturally assumed that it was just a broken nose.

13 Q. Do you agree that all communities deserve to  
14 have people treat inmates or detainees humanely?

15 A. I do.

16 Q. He wasn't treated humanely, was he?

17 A. No.

18 Q. He was beaten savagely, wasn't he?

19 A. I -- I don't think it's -- "savagely" is the  
20 right word for that. I think the injuries he sustained  
21 were brutal, but I don't think that it was a -- I'm just  
22 going to go ground, pound, and, you know, beat somebody  
23 until they're, you know, within an inch of their life,  
24 you know, just cut up and everything else. That's what  
25 I imagine when you say "savagely," so no, I don't



1 believe that that word fits.

2 Q. When did you find out that he had been slammed  
3 up against the block wall?

4 A. When you rewound the video.

5 Q. Okay. So you didn't know that that night?

6 A. No.

7 Q. All right. And -- but you saw all of the blood  
8 on the floor, so --

9 A. Yes, I do remember the blood.

10 Q. All right. That's all. Thank you, sir.

11 THE COURT: All right. Thank you.

12 Any recross?

13 MR. KNIGHT: Yes, Your Honor.

14 RECROSS-EXAMINATION

15 BY MR. KNIGHT:

16 Q. Correct me if I'm wrong, Mr. Brown, 18 entitles  
17 you to join the Armed Forces, doesn't it?

18 A. Yes.

19 Q. Entitles you to vote, doesn't it?

20 A. Yes.

21 Q. It's the age of majority in most states;  
22 correct?

23 A. Correct.

24 Q. And you're going to sit up here and agree with  
25 Mr. Seaton that 19 or 20 years old is immature?

1 A. Were you as mature at 20?

2 Q. I don't -- I may not be as mature at age 80.

3 I -- I don't know.

4 A. I don't believe that I personally was mature at  
5 that age, no.

6 Q. But you applied for the job?

7 A. I did, but --

8 Q. And you sure know that some inmate didn't need  
9 to get smacked in the face by Justin Crabtree; correct?

10 A. Correct.

11 Q. And you well knew that that inmate could have  
12 been and should have been, by TCI standards, Tennessee  
13 law, policies and procedures, whatever, checked hour  
14 upon hour?

15 A. Correct.

16 Q. Thank you.

17 THE COURT: All right. Thank you.

18 MR. SEATON: Nothing further.

19 THE COURT: Thank you.

20 MR. SEATON: You can go.

21 THE COURT: Yes. Thank you.

22 All right. Mr. Seaton, call your next witness.

23 MR. SEATON: We'll call Michael Galloway.

24 He'll need some assistance.

25 THE COURT: Yes, we're ready.